

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CARPENTERS' DISTRICT COUNCIL OF
GREATER ST. LOUIS, et al.,

Plaintiffs,

v.

WEDEMEIER CONSTRUCTION, INC., et al.,

Defendants.

Case No.: 4:05CV1673RWS

JUDGMENT

Plaintiffs filed this action on September 29, 2005 to recover from defendant Wedemeier Construction, Inc. delinquent fringe benefit contributions, liquidated damages, and interest owed to the plaintiff benefit funds pursuant to the Employee Retirement Income Security Act, 29 U.S.C. §1132(g)(2) ("ERISA"). Plaintiffs also seek an award of their attorneys' fees against defendant Wedemeier Construction, Inc. Defendant has not appeared, and plaintiffs move for default judgment, submitting in support of their motion the affidavits of Juli Laramie and Greg A. Campbell.

Under ERISA, 29 U.S.C. §1132(g)(2) and §1145, and under the applicable collective bargaining agreement, defendant owes \$52,253.58 in delinquent fringe benefit contributions, \$10,450.72 in liquidated damages, and \$10,450.72 in interest. These amounts total \$65,908.21. The collective bargaining agreement and ERISA, 29 U.S.C. §1132(g)(2), require delinquent employers to pay plaintiffs' attorneys' fees and costs. Plaintiffs incurred \$549.50 in legal fees, and \$303.93 in court costs. Based on the evidence presented, the Court finds that the services performed by plaintiffs' attorneys were reasonable and necessary to the litigation of this case, that the rates charged were reasonable, and that the amount sought for attorneys' fees is reasonable.

IT IS HEREBY ORDERED that plaintiffs' motion for default judgment is granted.

IT IS HEREBY ORDERED that the Clerk of the Court shall enter judgment by default in favor of plaintiffs and against defendant Wedemeier Construction, Inc. in the amount of \$65,908.21, as and for delinquent fringe benefit contributions, interest and liquidated damages.

IT IS HEREBY ORDERED that the Clerk of the Court shall enter judgment in favor of plaintiffs and against defendant Wedemeier Construction, Inc. in the amount of \$853.43 as and for plaintiffs' legal fees and costs.


UNITED STATES DISTRICT JUDGE

Dated this 24th day of January, ~~2006~~
2006.